



Reprinted
March 30, 2007

ENGROSSED SENATE BILL No. 93

DIGEST OF SB 93 (Updated March 29, 2007 3:37 pm - DI 110)

Citations Affected: IC 16-28; noncode.

Synopsis: Fire sprinklers and smoke detectors in nursing homes. Requires certain health facilities to have automatic fire sprinkler systems before July 1, 2012. Provides that if a system is not installed before July 1, 2010, a plan for completion must be submitted to the state department of health (state department). Requires the health facilities to have a smoke detector in each resident's room before July 1, 2012. Requires the state department to publish in the state department's consumer guide to nursing homes the types of fire sprinkler systems and smoke detectors in a nursing home.

Effective: Upon passage; July 1, 2007.

Landske, Becker

(HOUSE SPONSORS — MAYS, THOMPSON)

January 8, 2007, read first time and referred to Committee on Health and Provider Services.

January 25, 2007, amended, reported favorably — Do Pass.

February 1, 2007, read second time, amended, ordered engrossed.

February 2, 2007, engrossed.

February 6, 2007, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

March 6, 2007, read first time and referred to Committee on Public Policy.

March 22, 2007, amended, reported — Do Pass.

March 29, 2007, read second time, amended, ordered engrossed.

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ES 93—LS 6221/DI 96+



Reprinted
March 30, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 93

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-28-11-5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 5. (a) This section does not apply to the Indiana
4 Veterans' Home.**

5 **(b) A health facility licensed under IC 16-28 as a comprehensive
6 care facility must do the following:**

7 **(1) Have an automatic fire sprinkler system installed
8 throughout the facility before July 1, 2012.**

9 **(2) If an automatic fire sprinkler system is not installed
10 throughout the health facility before July 1, 2010, submit
11 before July 1, 2010, a plan to the state department for
12 completing the installation of the automatic fire sprinkler
13 system before July 1, 2012.**

14 **(3) Have a battery operated or hard wired smoke detector in
15 each resident's room before July 1, 2012.**

16 **(c) The state department shall adopt rules under IC 4-22-2 to
17 implement this section.**

ES 93—LS 6221/DI 96+



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SECTION 2. IC 16-28-11-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 6. The state department shall disclose, in the state department's consumer guide to nursing homes, whether a health facility is:**

- (1) fully;
- (2) partially; or
- (3) not;

equipped with fire sprinklers.

SECTION 3. IC 16-28-11-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 7. The state department shall disclose the following information in the state department's consumer guide to nursing homes:**

- (1) Until July 1, 2012, whether each health facility has:

- (A) a battery operated;
- (B) a hard wired; or
- (C) no;

smoke detector in each resident's room.

- (2) After June 30, 2012, whether a health facility has:

- (A) a battery operated; or
- (B) a hard wired;

smoke detector in each resident's room.

- (3) If a health facility has a hard wired or wireless smoke detector in each resident's room, whether the smoke detector:

- (A) provides a visual and audible signal at the nurses' stations that attend each room;
- (B) transmits to a central station service; and
- (C) connects to the health facility's fire alarm system.

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commissioner" has the meaning set forth in IC 16-18-2-340.

(b) Notwithstanding IC 16-28-11-5, as added by this act, the state department of health shall implement IC 16-28-11-5, as added by this act, under interim written guidelines approved by the commissioner.

- (c) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 16-28-11-5, as added by this act.
- (2) January 1, 2009.

SECTION 5. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 93, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 11 and 12, begin a new line block indented and insert:

"(3) Have an automatic fire detection system throughout the facility before July 1, 2012."

Page 2, line 8, after "7." insert "(a)".

Page 2, between lines 24 and 25, begin a new paragraph and insert:
"(b) This section expires June 30, 2012."

and when so amended that said bill do pass.

(Reference is to SB 93 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 93 be amended to read as follows:

Page 1, line 12, delete "an automatic fire detection system throughout the" and insert **"a battery operated or hard wired smoke detector in each resident's room"**.

Page 1, line 13, delete "facility".

Page 2, line 10, delete "(a)".

Page 2, delete line 27.

(Reference is to SB 93 as printed January 26, 2007.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 93, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, after "(a)" insert "**This section does not apply to the Indiana Veterans' Home.**

(b)".

Page 1, line 3, delete "this article" and insert "**IC 16-28.**"

Page 1, line 10, after "completing" insert "**the**".

Page 1, delete lines 12 through 13.

Page 1, line 14, delete "(b)" and insert "**(c)**".

Page 2, line 7, after "with" insert "**fire**".

Page 2, line 18, after "has" insert "**a**".

Page 2, line 18, delete "battery operated" and insert "**wireless smoke detector in each resident's room, whether the smoke detector:**".

Page 2, delete line 19.

Page 2, line 20, delete "whether the smoke detectors provide" and insert "**provides**".

Page 2, line 23, delete "whether the smoke detectors transmit" and insert "**transmits**".

Page 2, line 25, delete "whether the smoke detectors connect" and insert "**connects**".

Page 2, line 27, delete "[EFFECTIVE JULY 1, 2007]" and insert "[EFFECTIVE UPON PASSAGE]".

Page 2, after line 37, begin a new paragraph and insert:

"**SECTION 5. An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 93 as reprinted February 2, 2007.)

VAN HAAFTEN, Chair

Committee Vote: yeas 9, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 93 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new line block indented and insert:

"(3) Have a battery operated or hard wired smoke detector in each resident's room before July 1, 2012."

Page 2, line 1, delete "JULY1," and insert "JULY 1,".

Page 2, line 13, delete "Whether" and insert **"Until July 1, 2012, whether"**.

Page 2, line 14, after "(A)" insert **"a"**.

Page 2, line 15, after "(B)" insert **"a"**.

Page 2, line 17, delete "detectors in its residents' rooms." and insert **"detector in each resident's room."**

Page 2, between lines 17 and 18, begin a new line block indented and insert:

"(2) After June 30, 2012, whether a health facility has:

(A) a battery operated; or

(B) a hard wired;

smoke detector in each resident's room."

Page 2, line 18, delete "(2)" and insert **"(3)"**.

(Reference is to ESB 93 as printed March 23, 2007.)

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